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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,492	03/26/2004	Ted Guidotti	018798-222	7892
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			ART UNIT 3761	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/809,492

Applicant(s)

GUIDOTTI ET AL.

Examiner

Melanie J. Hand

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3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

As an initial matter, the grounds of rejection presented in the non-final action mailed August 10, 2007 were incorrect and have been corrected herein. Specifically, the grounds of rejection of independent claims 1 and 16 introduced the prior art of Guidotti to remedy the deficiency of Bernardin with respect to the weight percentage of superabsorbent material in the instant first storage layer. However, upon further review of the claims, it is noted that such limitation is not set forth in claims 1 and 16, thus the prior art of Guidotti is not needed to remedy any deficiency with respect to claims 1 and 16. The grounds of rejection of the dependent claims have been corrected accordingly.

Applicant's arguments filed September 18, 2007 have been fully considered but they are not persuasive.

With respect to arguments regarding the rejection of claims 1-4, 9, 14, 15, 19, 22 and 23 over Bernardin in view of Guidotti: Applicant argues that the embodiment of the article taught by Bernardin has a separate layer of superabsorbent (hereafter, "SAP") and thus teaches away from including superabsorbent in the high density layer 10. This is not found persuasive for two reasons: 1) Bernardin also teaches a single layer high density component 6 that has SAP particles 9 contained within, and 2) the fact that Bernardin teaches that the SAP aids in the absorption and transfer of liquid by being present in a separate layer does not exclude the possibility that the SAP could be placed in the high density layer 10; the SAP would provide the same function if contained within the high density component 10. Though the argument is not persuasive, the Office has restated the rejections of independent claims 1 and 16 in terms of the

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single layer high-density component embodiment (having layer 6 as opposed to two layers 10,11) taught by Bernardin for clarification.

As to applicant's argument that there is no motivation to modify the two-layer high-density component of Bernardin such that one of the layers 10 or 11 is placed between the liquid acquisition layer 5 and the liquid permeable upper surface, Examiner agrees. However, the rejection made herein relying upon the embodiment having a single layer high density component 6 should illustrate that this same single layer can be placed anywhere in the article and would still perform the same acquisition and transfer functions taught by Bernardin, and thus it would be obvious to one of ordinary skill in the art to modify the article of Bernardin and Guidotti such that this single layer is placed between the instant acquisition layer 5 and the liquid permeable upper surface with a reasonable expectation of success to maintain the acquisition and transfer functions of the at least one first storage layer 6 taught by Bernardin.

As to applicant's arguments regarding the Office's position that there is no criticality to the limitation of a dry density exceeding 0.4 g/cc, the Office has restated the rejection to reflect Bernardin's teaching that the dry density affects pore size, which affects the fluid transfer capabilities of the high density layer 6. This teaching is interpreted as a teaching by Bernardin that the dry density is a result-effective variable and therefore it would be obvious to one of ordinary skill in the art to modify the article of Bernardin to yield a first storage layer having the claimed dry density using only routine skill in the art.

With respect to arguments regarding the rejection of claims 4 and 19: Applicant argues that claims 4 and 19 as amended distinguish over Bernardin. This is not found persuasive because Bernardin teaches that the dry density affects the pore size. This would not be the case if the pore were not three-dimensional, i.e. the pore extends through a thickness of the first storage layer. Further, because the pore size is affected by density, it is so affected along its

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entire third dimension by the density, and density necessarily refers to the entire thickness of the first storage layer. Thus since the pore size is affected by density, the pore must be an aperture that extends through the entire thickness of the storage layer.

With respect to arguments regarding claim 9: Applicant argues that a peripheral edge connection as taught by Bernardin would not satisfy the limitation of claim 9. This is not found persuasive because a peripheral attachment is still an attachment of the acquisition layer 5 to the topsheet 2, such peripheral attachment being explicitly taught by Bernardin. Joining the two sheets in different positions is merely a different configuration for joining the two sheets that accomplishes the identical result of attaching the acquisition layer 5 to the topsheet 2.

With respect to arguments regarding the rejection of claims 14 and 22: Applicant argues that there is no motivation to modify the article of Bernardin so as to include a second storage layer that includes SAP as claimed. Examiner agrees. However the restatement of the rejection of claims 1 and 16 so as to refer to the single high density layer embodiment of Bernardin should clarify that there is a motivation to combine the articles of Bernardin and Guidotti, specifically the motivation given previously with respect to the limitation of claim 14 directed to a second storage layer having less SAP than the claimed first layer.

With respect to arguments regarding the rejection of claims 5, 6, 26 and 28 as unpatentable over the combined teaching of Bernardin in view of Lassen: Applicants' arguments with regard to dependent claims 5, 6, 26 and 28 have been fully considered but are not persuasive as applicant's arguments depend entirely on Applicants' arguments regarding the rejection of claims 1 and 16, which have been addressed *supra*.

With respect to arguments regarding the rejection of claims 10 and 12 as unpatentable over Bernardin in view of Berg: Applicant's arguments with regard to dependent claims 10 and 12 have been fully considered but are not persuasive as applicant's arguments depend on

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applicants' arguments regarding the rejection of claims 1 and 16, which have been addressed *supra*. Applicant additionally argues that the combination of the teachings of Bernardin and Berg would destroy the function of the article of Bernardin and refers to a "relationship between the two layers in order to achieve proper flowback". It is unclear what two layers applicant is referring to, however it is clear that any time Bernardin refers to flowback, the term is used in reference to the fluid transfer between the acquisition layer and the first storage layer 6 in the sense that flow back occurs in the direction from the first storage layer 6 to the acquisition layer 5. Thus, using foam material for the acquisition layer of Bernardin as taught by Berg will not prevent flowback from occurring and thus will not destroy the function of the article of Bernardin.

With respect to arguments regarding the rejection of claim 11 is unpatentable over Bernardin in view of Berg and further in view of Shepard: Applicant's arguments with regard to dependent claim 11 have been fully considered but are not persuasive as applicant's arguments depend on applicants' arguments regarding the rejection of claims 1 and 16, which have been addressed *supra*. Applicant additionally argues that there is not motivation to use the foam in the foam backing as taught by Shepard in an absorbent structure as taught by Bernardin and Berg. This is not found persuasive because the foam has properties, which meet the claim limitations. Thus if the foam of Shepard, which is used as a substrate in an absorbent article, meets the claim limitations of a foam used in an absorbent structure, then the foam of Shepard can also be used in an absorbent structure as claimed and it would be obvious to one of ordinary skill in the art to do so with a reasonable expectation of success, as in both applications, the foam serves as a substrate capable of absorption that lends a certain desired degree of flexibility or stiffness, a practice that is known in the art.

With respect to arguments regarding the rejection of claim 13 as unpatentable over Bernardin in view of McBride: Applicants' arguments with regard to dependent claim 13 have

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been fully considered but are not persuasive as applicant's arguments depend entirely on Applicants' arguments regarding the rejection of claims 1 and 16, which have been addressed *supra*.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2, 4, 7-9, 15, 16, 19-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardin (U.S. Patent No. 5,009,650).

With respect to **Claims 1,16**: Bernardin teaches an absorbent article 1 comprising a liquid permeable upper surface defined by the upper surface of liquid permeable liner 2 and an absorbent structure 4, which article in the longitudinal direction has a crotch portion seen in Fig. 1 and two end portions also seen in Fig. 1, wherein the absorbent structure 4 comprises an acquisition layer 5 and at least one first storage layer 6 wherein said first storage layer 6 comprises super absorbent material, wherein the first storage layer 6 in a dry condition has a density of 0.1 g/cc. First storage layer 6 in the crotch portion of the absorbent structure has apertures or recesses in the form of pores. Bernardin teaches that the high-density layer 6 contains superabsorbent material 9

The first storage layer 6 of Bernardin in a dry condition has a density of 0.1 g/cc, and therefore Bernardin does not teach a first storage layer having a dry density exceeding 0.4 g/cc. Bernardin teaches that the dry density affects pore size, which affects the fluid transfer capabilities of the high density layer 6. (Col. 3, lines 56-68) This teaching is interpreted as a teaching by Bernardin that the dry density is a result-effective variable. Therefore it would be

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obvious to one of ordinary skill in the art to modify the article of Bernardin to yield a first storage layer having the claimed dry density with a reasonable expectation of success to hold an increased amount of waste to prevent leakage. It has been held that the discovery of an optimum value of a result-effective variable in a known process is ordinarily within the skill of the art. See *In re Boesch and Slaney*, 205 USPQ 215 (C.C.P.A. 1980)

With respect to the limitation of a first storage layer that lies between an acquisition layer and a liquid permeable upper surface, while applicant discloses criticality for placing the first storage layer between the acquisition layer and the liquid permeable upper surface, this criticality is effectively negated by the disclosure of an equally operable and effective embodiment in which the first storage layer is located elsewhere, for example as in the manner taught by Bernardin. Thus it would be obvious to modify the article of Bernardin so as to position the first storage layer 6 between the liquid permeable upper surface and the acquisition layer 5 with a reasonable expectation of success to provide an article that functions identically to the article explicitly taught by Bernardin. It has been held that rearrangement of parts involves only routine skill in the art and thus modifying the article of the combined teaching of Bernardin so as to meet all of the limitations of amended claims 1 and 16 would be obvious to one of ordinary skill in the art with a reasonable expectation of success. See *In re Japikse*, 86 USPQ 70 (CCPA 1950)

With respect to **Claim 2**: The first storage layer 6 of Bernardin in a dry condition has a density of 0.1 g/cc, and therefore Bernardin does not teach a first storage layer having a dry density exceeding 0.5 g/cc. Bernardin teaches that the dry density affects pore size, which affects the fluid transfer capabilities of the high density layer 6. (Col. 3, lines 56-68) This teaching is interpreted as a teaching by Bernardin that the dry density is a result-effective variable.

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Therefore it would be obvious to one of ordinary skill in the art to modify the article of Bernardin to yield a first storage layer having the claimed dry density with a reasonable expectation of success to hold an increased amount of waste to prevent leakage. It has been held that the discovery of an optimum value of a result-effective variable in a known process is ordinarily within the skill of the art. See *In re Boesch and Slaney*, 205 USPQ 215 (C.C.P.A. 1980)

With respect to **Claims 4,19**: Bernardin teaches that first storage layer 6 contains pores, which Examiner considers herein to satisfy the limitation of at least one aperture that extends through an entire thickness of the first storage layer. This argument is based upon Bernardin's teaching that the size of the pores are affected by density of the layer 6 and thus are interpreted herein as apertures having a third dimension that extends the entire thickness of the first storage layer 6. (Col. 3, lines 56-68)

With respect to **Claims 7,20**: The first storage layer 6 has a first surface facing the liquid permeable upper surface of the article and a second surface facing away from the liquid permeable surface of the article, wherein the acquisition layer 5 is considered herein to lie close to the first surface of the storage layer 6, as no quantitative definition of "close" is claimed or disclosed by applicant.

With respect to **Claims 8,21**: Bernardin teaches that the acquisition layer 5 is placed between the topsheet 2 and the first storage layer 6. (Fig. 4)

With respect to **Claim 9**: Bernardin does not teach that the liquid permeable top sheet 2 and the acquisition layer 5 are thermally joined in a hollow space in the first storage layer created by

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said apertures or recesses. However, an article as taught by Bernardin in which the acquisition layer 5 is bonded in the manner set forth in claim 9 would produce a substantially structurally identical article to that taught by Bernardin in the instant invention. It would be obvious to one of ordinary skill in the art to bond the acquisition layer taught by Bernardin such that the layer is thermally bonded in the recesses as an alternative to simply bonding the acquisition layer to the topsheet at the peripheral edges as taught by Bernardin. Rejection under 35 U.S.C. 103 is indicated where prior art discloses product that appears to be either identical with or only slightly different from product claimed in product-by-process claim. See *In re Fitzgerald, Sanders, & Bagheri*, 205 USPQ 594 (CCPA 1980).

With respect to **Claim 15,23**: Bernardin teaches second storage layer 11 but does not teach that said second storage layer partly or entirely encloses the first storage layer. However, it would be obvious to one of ordinary skill in the art to expand the surface area of said second storage layer so as to partly or entirely enclose said first storage layer as the increased surface storage area allows for greater fluid handling capability and prevention of leakage. If there is a design need or a market pressure to solve a problem (i.e. leakage prevention), and there are a finite number of identified, predictable solutions (i.e. a particular size for the second storage layer that can securely fit within the structure), a person of ordinary skill in art has good reason to pursue known options within his or her technical grasp, and if this leads to anticipated success, it is likely product of ordinary skill and common sense, not innovation.

With respect to **Claim 18**: The first storage layer 10 in a dry condition has a density between 0.14 – 0.3 g/cc. First storage layer 10 in the crotch portion of the absorbent structure has apertures or recesses in the form of pores.

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Bernardin does not teach a first storage layer having a dry density exceeding 0.4 g/cc. Bernardin teaches that the dry density affects pore size, which affects the fluid transfer capabilities of the high density layer 6. (Col. 3, lines 56-68) This teaching is interpreted as a teaching by Bernardin that the dry density is a result-effective variable. Therefore it would be obvious to one of ordinary skill in the art to modify the article of Bernardin to yield a first storage layer having the claimed dry density with a reasonable expectation of success to hold an increased amount of waste to prevent leakage. It has been held that the discovery of an optimum value of a result-effective variable in a known process is ordinarily within the skill of the art. See *In re Boesch and Slaney*, 205 USPQ 215 (C.C.P.A. 1980)

With respect to **claims 27,29**: The pores (apertures) taught by Bernardin are spaces capable of holding liquid before the liquid is absorbed by said first storage layer 10, as the boundaries of the pores are defined by absorbent fibers. ('650, Col. 5, lines 59-65)

Claims 5, 6, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardin (U.S. Patent No. 5,009,650) in view of Lassen et al (U.S. Patent Application Publication No. 2002/0013563).

With respect to **Claims 5,26,28**: Bernardin does not teach that said apertures extend along the longitudinal direction of the absorbent structure, wherein the apertures or recesses comprise longitudinal channels. Lassen teaches that the recesses define a segmented core with segments of this width so as to accommodate flexure axes to allow it to bend preferentially convexly toward the user's body to put said article in a more advantageous position to perform its function, therefore it would be obvious to one of ordinary skill in the art to modify the device

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of Bernardin so as to have apertures comprising longitudinal channels having a width of no greater than 20 mm as this allows the crotch portion of the article to conform to fit the crotch area of the user as taught by Lassen.

With respect to **Claim 6**: Lassen teaches that the width of article 10 is in the range of 2-10 cm, or 20-100 mm (§ 0057), therefore the material between will exhibit a width being maximally 20 mm. The motivation to combine the teachings of Bernardin and Lassen is stated *supra* with respect to claims 5, 26 and 28.

Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardin (U.S. Patent No. 5,009,650) in view of Berg et al (U.S. Patent No. 5,180,622).

With respect to **Claims 10 and 12**: Bernardin does not teach that acquisition layer 11 is comprised of polyacrylate foam material. Berg teaches a polyacrylate foam material used in an absorbent core 41 of a diaper 20. (Fig. 1) (Col. 22, lines 61-65). Said absorbent core is comprised of an acquisition zone 56 (Col. 32, lines 35-44) and since the core material is uniform throughout, said acquisition zone 56 is also comprised of polyacrylate foam material. (claim 10) Berg teaches that said foam material is formed by an acrylic acid monomer allowed to polymerize with the aid of an interparticle crosslinking agent sprayed on the acrylic acid monomers. (Col. 7, lines 40-46, Co. 14, lines 28-39) (claim 12) Berg teaches that such a material especially in film form integrated in an absorbent article enhances fluid uptake rate and minimizes gel blocking (Abstract), therefore it would obvious to one of ordinary skill in the art to modify the acquisition layer taught by Bernardin to be comprised of a polyacrylate foam sheet material as taught by Berg.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardin (U.S. Patent No. 5,009,650) in view of Berg et al (U.S. Patent No. 5,180,622) as applied to claims 10 and 12 above, and further in view of Shepard et al (U.S. Patent No. 6,869,659).

With respect to **Claim 11**: The combined teaching of Bernardin and Berg does not teach an absorbent article comprising a polyacrylate foam acquisition layer having a Gurley stiffness of less than 1,000 mgf.

Shepard teaches a foam coating applied to a nonwoven web as a backing that is an acrylic foam. Shepard teaches that the web having the foam coating is the backing for a loop fastener fabric, wherein the loop fabric has a Gurley stiffness of less than 300 mg. The loop fabric has a slight stiffness that Shepard teaches can be reduced, therefore the stiffness of the foam itself cannot be greater than 1,000 mgf if the stiffness of the entire fabric, comprised of thin flexible nonwoven materials, has a stiffness of less than about 300 mgf. Shepard teaches that such a foam coating results in a thin, flexible loop fastener fabric, therefore it would be obvious to one of ordinary skill in the art to employ a foam layer or coating in the article taught by the combined teaching of Bernardin and Berg so as to have a Gurley stiffness for the acquisition layer of less than 300 mgf as taught by Shepard to provide a thin, flexible absorbent substrate suitable for use in an absorbent structure.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardin (U.S. Patent No. 5,009,650) in view of McBride (U.S. Patent Application Publication No. 2004/0019340).

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With respect to **Claim 13**: The combined teaching of Bernardin and Guidotti does not teach corona treating the acquisition layer 5. McBride teaches an absorbent article having a topsheet and acquisition layer in which either or both are treated to improve affinity to water and water handling, therefore it would be obvious to one of ordinary skill in the art to corona treat the acquisition layer taught by the combined teaching of Bernardin and Guidotti to improve its affinity for water and fluid handling as taught by McBride. ('340, ¶0037)

Claims 3, 14, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardin (U.S. Patent No. 5,009,650) in view of Guidotti et al (U.S. Patent No. 6,037,518).

With respect to **Claim 3**: Bernardin does not teach that the high-density layer 6 contains superabsorbent material in an amount of at least 70% by weight. Guidotti teaches an absorbent article having a separate acquisition layer and storage layer wherein the storage layer is comprised of at least 10-80% superabsorbent material by weight of said storage layer. Since Guidotti teaches a storage layer that draws fluid from an acquisition layer, i.e. the storage layer of Guidotti performs an identical function to the storage layer of Bernardin, it would be obvious to one of ordinary skill in the art to include superabsorbent in the storage layer of Bernardin in an amount between 10-80% as taught by Guidotti with a reasonable expectation of success. This range satisfies the relevant limitation of claim 3.

With respect to **Claims 14,22**: An alternate embodiment of the absorbent structure 1 of Bernardin further comprises a second storage layer 11 of two storage layers 10,11. Bernardin teaches that the two storage layers are each equivalent to a single storage layer 6 in the alternate embodiment, and Bernardin teaches combining said storage layer 6 (and thus by

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extension layer 11) with other absorbents to achieve a lower density depending upon the application of the absorbent structure of the instant invention. Bernardin does not explicitly teach that the high-density layers contain superabsorbent material or that second storage layer 11 contains less superabsorbent by weight than first storage layer 10.

Guidotti teaches an absorbent article having a separate acquisition layer and storage layer wherein the storage layer is comprised of at least 10-80% superabsorbent material by weight of said storage layer. Since Guidotti teaches a storage layer that draws fluid from an acquisition layer, i.e. the storage layer of Guidotti performs an identical function to the storage layer of Bernardin, it would be obvious to one of ordinary skill in the art to include superabsorbent in the storage layers 10,11 of Bernardin with a reasonable expectation of success. The combined teaching of Bernardin thus teaches a second storage layer having a lower density (i.e. lower amount of superabsorbent) than a first storage layer.

With respect to **Claim 17**: The absorbent structure 4 of Bernardin comprises an acquisition layer 5 and at least one first storage layer 10. Guidotti teaches an absorbent article having a separate acquisition layer and storage layer wherein the storage layer is comprised of at least 10-80% superabsorbent material by weight of said storage layer. Since Guidotti teaches a storage layer that draws fluid from an acquisition layer, i.e. the storage layer of Guidotti performs an identical function to the storage layer of Bernardin, it would be obvious to one of ordinary skill in the art to include superabsorbent in the storage layer of Bernardin in an amount between 10-80% as taught by Guidotti with a reasonable expectation of success. This range satisfies the relevant limitation of claim 17.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie J. Hand whose telephone number is 571-272-6464. The examiner can normally be reached on Mon-Thurs 8:00-5:30, alternate Fridays 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tatyana Zalukaeva can be reached on 571-272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Melanie J Hand
Examiner
Art Unit 3761

December 4, 2007

TATYANA ZALUKAEVA
SUPERVISORY PRIMARY EXAMINER

